

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

U.S. BANK NATIONAL ASSOCIATION,  
as Trustee for the Registered Holders of  
FMAC LOAN RECEIVABLES TRUST  
1998-C, a special purpose business trust  
organized and existing under the laws of  
the State of Delaware, by BERKADIA  
COMMERCIAL MORTGAGE LLC.,

Plaintiff,

v.

MOUNTAIN PLAZA, INC., a Tennessee  
corporation, RICK H. LEWIS, and  
BONNIE L. LEWIS,

Defendants.

No. 3:10-CV-234  
(Phillips/Guyton)

**ORDER**

The court has been advised that defendant Mountain Plaza, Inc., filed for bankruptcy protection in the Eastern District of Tennessee pursuant to Chapter 11 of Title 11 of the United States Code, and the bankruptcy proceedings remain pending at this time. Therefore, defendant is entitled to a stay of all judicial action against it pursuant to 11 U.S.C. § 362(a).

Accordingly, it is hereby **ORDERED** that the clerk administratively terminate this action, without prejudice to the rights of the parties to reopen the proceedings, for good

cause shown, for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of this litigation.

If neither party has moved to reopen this case for the purpose of obtaining a final determination within forty-five (45) days of the final adjudication in the bankruptcy proceedings, then this action shall be deemed to have been dismissed with prejudice.

**ENTER:**

*zup*

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s/ Thomas W. Phillips  
United States District Judge